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REMARKS

Claims 1-9, 11-20 and 22 have been examined and are all the claims pending in the application. The Examiner has indicated that claims 15-20 are allowed. Applicant has amended claims 1 and 14. No new matter has been introduced and support for the amended claims can be found in the specification. MPEP §706.03(o)(8th Edition).

Rejection of Claims 1-9, 11-14 and 22

The Examiner has rejected claims 1-9, 11-14 and 22 under 35 U.S.C. § 103(a) as being unpatentable over *previously cited* U.S. Patent No. 6,052,512 (hereinafter Peterson), in view of *previously cited* U.S. Patent No. 6,002,915 (hereinafter Shimizu), and further in view of U.S. Patent 5,270,920 (hereinafter Pearse). Applicant traverses this rejection.

Claim 1

A. First Time Units and Second Time Units

The recitation of Claim 1 requires:

> ". . . defining first time units that represent time periods which a trainee specifies to spend on a training course;
>
> defining second time units that differ from the first time units and represent time periods required to execute training units of the training course. . ."

Peterson, Shimizu, and Pearse, alone or in any combination, fail to teach or suggest the above features of Applicant's invention. With respect to "first time units," the Examiner directs Applicant to Shimizu at column 4, lines 2-47. (Page 2, last two lines through page 3, line 3 of the Office action).

Shimizu discloses a trainee system whereby the trainee can book or reserve a lecture using key words such as date and hour, curriculum and/or teacher. (Column 4, lines 2-4 of Shimizu). When a trainee books a lecture by inputting a date and hour as key words through his/her TL system 300, the trainee is provided with the profile pages of available teachers assigned to the date and hour. (Column 4, lines 17-20 of Shimizu).

The allegedly corresponding time periods of Shimizu represent time periods the teacher has offered to teach a particular course. (Column 3, lines 15-20 and Figure 4 of Shimizu). While Shimizu describes that "the trainee can select a suitable teacher based on the date and hour when the trainee desires" (col. 4, lines 20-22), it is understood upon reading claim 1 as a whole, that the allegedly corresponding time periods of Shimizu are not "first time units."

Stated differently, the Examiner's unreasonably broad interpretation of first time units would render second time units and the creation and monitoring of a progress plan nonsensical. Indeed, first time units would essentially represent time periods required to execute training units of the training course (i.e., second time units) and the progress plan would essentially be equivalent to the second time units.

Notwithstanding the above, claim 1 has been amended to recite that "second time units differ from the first time units." Shimizu, Peterson and Pearse, individually or in any combination, fail to teach or suggest the process of claim 1 as amended.

Although not relied on by the Examiner, Table III in col. 5 of Pearse describes certain selectors available to the user. In particular, Table III includes a date range (i.e., begin date, end date) for a particular course or resource type. (See also Table IV of Pearse). Applicant notes, however, that the selectors of Pearse do not teach or suggest the limitations of first time units.

Pearse is limited to a single time period that is defined by begin and end dates. In contrast, the first time units of the present invention include a plurality of time periods and the time periods are not limited to begin and end dates, but could include much smaller increments of time. These distinctions over Pearse yield a patentably distinct process in combination with the second time units and the automatic creation and monitoring of the progress plan. Undeniably, Pearse fails to even remotely suggest the first time units as recited in claim 1.

For at least these reasons, Shimizu, Peterson and Pearse, individually or in any combination, fail to teach or suggest the process of claim 1.

B. Automatic Creation of A Progress Plan

The recitation of claim 1 requires that in response to the defined first and second time units, the computer automatically:

> ". . . creates a progress plan for the execution of the training course in dependence upon the

> first time units and the second time units, wherein for each training unit the progress plan specifies a time by which the trainee is to have completed the corresponding training unit. . ."

Peterson, Shimizu and Pearse, alone or in any combination, fail to teach or suggest the computer automatically creating a progress plan.

The Examiner acknowledges that Peterson and Shimizu fail to disclose the automatic creation and monitoring of a progress plan, but alleges that Pearse discloses this aspect of Applicant's invention. The Examiner directs Applicant to col. 3, line 5 to col. 4, line 54 and col. 6, line 66 to col. 7, line 45 of Pearse.

However, since Shimizu, Peterson and Pearse, individually or in any combination, fail to teach or suggest the claimed first time units and second time units, then the applied art fails to teach or suggest automatically creating the claimed progress plan for the execution of the training course in dependence upon the first time units and the second time units, as recited in claim 1.

ii. Automatic Monitoring

The recitation of claim 1 requires that in response to the defined first and second time units, the computer automatically:

> ". . . monitors as to whether the corresponding training unit has been completed by the time specified in the progress plan."

Peterson, Shimizu and Pearse, alone or in any combination, fail to teach or suggest that the computer automatically monitors whether the training unit has been completed by the time specified in the progress plan.

Since Shimizu, Peterson and Pearse, individually or in any combination, fail to teach or suggest the claimed first time units and the second time units, then the applied art fails to teach or suggest the monitoring of claim 1.

For at least the reasons presented above, the Examiner should withdraw this rejection as it relates to claim 1. Claims 2-9, 11-13 are patentable at least by virtue of their dependency on claim 1.

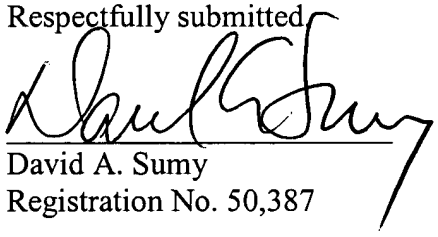
For reasons analogous to those presented above in conjunction with claim 1, Applicant submits claim 14 is patentable over Peterson, Shimizu and Pearse. Claim 22 is patentable at least by virtue of its dependency on claim 14.

Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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Date: May 20, 2003

APPENDIX

VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE CLAIMS:

The claims are amended as follows:

1. (Amended) A process for the automatic creation and monitoring of a progress plan for a training course including at least one training unit by a computer, comprising:

- defining first time units that represent time periods which a trainee specifies to spend on a training course;

- defining second time units that differ from the first time units and represent time periods required to execute training units of the training course;

wherein, in response to said defined first time units and defined second time units, the computer automatically:

- creates a progress plan for the execution of the training course in dependence upon the first time units and the second time units, wherein for each training unit the progress plan specifies a time by which the trainee is to have completed the corresponding training unit; and

- monitors as to whether the corresponding training unit has been completed by the time specified in the progress plan.

14. (Amended) A program product for enabling a computer to perform the automatic creation and monitoring of a progress plan for a training course comprising: a computer readable medium, and instructions on said computer readable medium for executing the following steps:

- defining first time units that represent time periods which a trainee specifies to spend on a training course;

- defining second time units that differ from the first time units and represent time periods required to execute training units of the training course;

wherein, in response to said defined first time units and defined second time units, the computer automatically:

- creates a progress plan for the execution of the training course in dependence upon the first time units and the second time units, wherein for each training unit the progress plan specifies a time by which the trainee is to have completed the corresponding training unit; and

- monitors as to whether the corresponding training unit has been completed by the time specified in the progress plan.